DISTRICT COURT OF MARYLAND FOR _____

Located at _____

_____ Landlord

_____ Address

_____ City _____ State _____ Zip

① Tenant ② Tenant

③ Tenant ④ Tenant

_____ Address

_____ City _____ State _____ Zip

Affixed on Premises

_____ Date

☐ Mailed to Tenant

_____ Constable/Sheriff

Served on Party:

_____

Date _____ Date _____

FAILURE TO PAY RENT - LANDLORD'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY § 8-401)

1. The property is described as: _____ (Property Name / Number / Street / Apt. / City), Maryland.

2. Is the property required to be licensed in order to operate as a rental property?

☐ No ☐ Yes, provide License number and expiration date _____

☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v): ☐ other: _____

3. The property: ☐ is not affected property under §6-801, Environment Article; ☐ is affected property, ☐ MDE registration is current, its registration has been renewed as required; MDE inspection certificate number, _____, is valid for the current tenancy; or ☐ owner is unable to state Certificate No. because: ☐ exempt ☐ tenant non-cooperation during remedial work.

4. The tenant rents from the landlord who asks for possession of the property based on the amount of rent and costs determined to be due.
☐ Landlord requests a money judgment (requires personal service).

5. This ☐ is not ☐ is a government subsidized tenancy ☐ § 8 ☐ other. Tenant is responsible to pay the following amount of rent: $ _____ due on the _____ of the ☐ week ☐ month, which has not been paid or reduced to judgment.
As of today, rent is due for the ☐ weeks ☐ months of _____ in the total amount of $ _____ less tenant payments of $ (_____) for utility bills, fees, and security deposits under PU §7-309 / RP § 8-212.3. $ _____ (Net Rent)
Late for the ☐ weeks ☐ months of _____ are due in the amount of $ _____

6. …… SUBTOTAL $ _____

7. ☐ The landlord requests rent becoming due after the date of filing, but due by the date of trial in the amount of …… $ _____

8. ……TOTAL $ _____

9. The landlord requests foreclosure of the tenant's rights of redemption due to prior judgments; prior case numbers and judgment dates within the past 12 months: _____ (Case Numbers & Judgment Dates)

10. ☐ The tenant is deceased, intestate (not having made a legal will), and without next of kin. ☐ Verified through DOD at: scra.dmdc.osd.mil/

MILITARY STATUS OF TENANT(S)

☐ All the tenants on the lease are listed above. ☐ At least one tenant is in the military service. ☐ No tenant is in the military service and the facts supporting this statement are: _____
(Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.)

☐ I am unable to determine whether or not any tenant is in the military service.

11. Landlord provided a Notice of Intent to File a Complaint for Summary Ejectment (Failure to Pay Rent) to the tenant on _____ (Date) by ☐ first-class mail – mail service certificate of mailing ☐ affixed to door of the leased property ☐ delivered electronically – proof of transmission.

I do solemnly affirm under the penalties of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

_____ Print Name of Signer (Landlord/Attorney/Agent) _____ Signature of Landlord/Attorney/Agent _____ Attorney Number / Party # _____ Date

_____ Address _____ Telephone

_____ Fax _____ E-mail

DISPOSITION

New Date

☐ Postponed at the request of: ☐ Tenant ☐ Landlord ☐ Court Reason: _____ _____

☐ Postponed at the request of: ☐ Tenant ☐ Landlord ☐ Court Reason: _____ _____

☐ The following parties appeared on the final trial date:
☐ Landlord ☐ Landlord's Agent/Attorney ☐ Tenant 1 ☐ Tenant 2 ☐ Tenant 3 ☐ Tenant 4 ☐ Tenant's Attorney

☐ Judgment in favor of landlord for possession of the premises and costs.
Rent due and unpaid: $ _____; minus utility credits of $ _____ under PU § 7-309 / RP § 8-212.3
Net due and unpaid: $ _____ by: ☐ Default ☐ Trial ☐ Consent ☐ No right of redemption
☐ Money judgment for $ _____ plus costs against: ☐ Tenant 1 ☐ Tenant 2 ☐ Tenant 3 ☐ Tenant 4
☐ Voluntary dismissal by: ☐ Landlord ☐ Stipulation of parties
☐ Case dismissed ☐ Landlord FTA ☐ No party appeared ☐ Other: _____
☐ Judgment for tenant
If applicable: ☐ Landlord has violated RP §8-216(b) ☐ Recovery of possession of the property
☐ Actual damages of $ _____ Reasonable Attorney's Fees of $ _____ and costs
☐ Execution stayed ☐ until by _____ filing an approved appeal bond in the amount of $ _____

_____ Judge _____ ID Number _____ Date

SUMMONS

TO the sheriff or constable (in Wicomico Co., other process server): you are ordered to notify the tenant, assignee, subtenant, or their agent, by personal service, to appear in the District Court to show cause why the demand of the landlord should not be granted. Personal service may be performed at any other known address. If landlord has not requested personal service, or if at least one person to be served cannot be located and served, affix an attested copy of the summons and complaint conspicuously on the subject property and mail a copy thereof to the tenant, assignee, or subtenant by first-class mail to the address specified by the landlord. In the case of a deceased tenant, notify the occupant or next of kin of the deceased tenant by the same procedure.

_____ Judge/Clerk

_____ Date

DC-CV-082
(Rev. 10/01/2024)

Need legal help or rental assistance? Talk with a lawyer at a Maryland Court Help Center. Free. Online. In Person. By Phone. ¿Necesita ayuda legal o asistencia con el alquiler? Hable con un abogado en un Centro de Ayuda de Los Tribunales de Maryland. Gratis. En línea. En persona. Por teléfono. www.mdcourts.gov/helpcenter. 410 260-1392.

DISTRICT COURT OF MARYLAND FOR _____

Located at _____

_____ Landlord

_____ Address

_____ City _____ State _____ Zip

① Tenant ② Tenant

③ Tenant ④ Tenant

_____ Address

_____ City _____ State _____ Zip

Affixed on Premises

_____ Date

☐ Mailed to Tenant

_____ Constable/Sheriff

Served on Party:

_____

Date _____ Date _____

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1. The property is described as: _____ (Property Name / Number / Street / Apt. / City), Maryland.

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Late for the ☐ weeks ☐ months of _____ are due in the amount of $ _____

6. …… SUBTOTAL $ _____

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8. ……TOTAL $ _____

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I do solemnly affirm under the penalties of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

_____ Print Name of Signer (Landlord/Attorney/Agent) _____ Signature of Landlord/Attorney/Agent _____ Attorney Number / Party # _____ Date

_____ Address _____ Telephone

_____ Fax _____ E-mail

NOTICE: If the court awarded you money in addition to the judgment for possession, you have the right to obtain a lien on real property. Maryland Rule 3-621.

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_____ Judge/Clerk

_____ Date

DISTRICT COURT OF MARYLAND FOR _____

Located at _____

_____ Affixed on Premises

Landlord

_____ _____

Address Date

_____ _____ _____ ☐ Mailed to Tenant

City State Zip

① Tenant ② Tenant

③ Tenant ④ Tenant _____

Constable/Sheriff

_____

Address Served on Party:

_____ _____ _____

City State Zip

Date_____ Date _____

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Property Name Number Street Apt. City

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Net Rent
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_____ _____ _____ _____

Print Name of Signer (Landlord/Attorney/Agent) Signature of Landlord/Attorney/Agent Attorney Number / Party # Date

_____ _____

Address Telephone

_____ _____

Fax E-mail

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_____
Judge/Clerk

_____
Date

RETURN OF PERSONAL SERVICE ON TENANT(S) (to be completed by process server)

Case No. _____

I served a copy of the Writ of Summons, Complaint, and all supporting papers by delivery to _____,

_____ (Title), on _____ (Date) _____ (Time) at _____ (Location)

_____. The person I left the papers with acknowledged being: (1) a resident of the above listed address; (2) 18 years of age or older; (3) of suitable discretion in that relationship to the defendant is _____ and that; (4) the above listed address is the defendant's residence or usual place of abode. The facts upon which I concluded that the individual served is of suitable age and discretion are: _____

Description of the person served: Race _____ Sex _____ Eyes _____ Hair _____ Wt. _____ Age _____

Other _____

FOR PRIVATE PROCESS SERVER ONLY: Name: _____ Address: _____

_____ _____ (Telephone)

I am at least 18 years of age. I solemnly affirm under the penalties of perjury that all information provided by me herein is true to the best of my knowledge, information, and belief.

_____ (Date) _____ (Signature of Sheriff/Constable) _____ (Printed Name)

WICOMICO COUNTY ONLY: RETURN OF PRIVATE PROCESS SERVER – POSTING AND MAILING

I served a copy of the Writ of Summons, Complaint, and all supporting papers by first-class mail on the named tenants on _____ (Date), and by posting on the premises on _____ (Date).

I am at least 18 years of age. I solemnly affirm under the penalties of perjury that all information provided by me herein is true to the best of my knowledge, information, and belief.

_____ (Date) _____ (Signature of Private Process Server) _____ (Printed Name)

(Back)

Reset

NOTICE TO THE TENANT

1. If you need an **interpreter** or **a reasonable accommodation under the Americans with Disabilities Act,** please contact the court immediately.
2. The court may limit the use of cell phones and other electronic devices in certain areas of the courthouse.
3. Your landlord is required by law to give you a written notice that they intend to file a case against you ten (10) days before filing the complaint for failure to pay rent. If you did not receive the notice, tell the judge at the beginning of your hearing.
4. This complaint asks the court to evict you for not paying rent. The landlord can include rent that isn't due on the date the landlord filed but is due before the trial date. This is sometimes called "future rent." It is listed on line seven (7) of the complaint.
5. You have the right to go to court and to be heard by a judge. The date and time of your hearing are stamped on the first page of this complaint.

   If you decide to go to court:

   - Please be early and bring this paper with you.
   - If you have paid your rent and late fees by the trial date, bring your receipt, and show it to the judge when your case is called.
   - If your lease requires the landlord to pay the gas or electric bill and you ended up paying it, bring proof of payment to court.
   - If you believe that you have paid your rent and fees in full or that the amount the landlord says you owe is wrong, bring proof with you.
   - If you believe that you have any other defense to this complaint, be prepared to state all the facts clearly to the judge.
   - You have the right to bring a lawyer with you to represent you at the hearing. Under the **Access to Counsel in Evictions Law**, all income qualified tenants will have access to an attorney. Call 211 or visit *legalhelpmd.org* to see if you qualify.
6. **What happens next if the court enters a judgment for the landlord?**
   - The court has entered a judgment for possession for the landlord: this means that you have lost your case.
   - If you don't pay the rent and late fees due within seven (7) business days, the court will sign a Warrant of Restitution if requested by the landlord. The court will send the warrant to the sheriff (constable in Baltimore County), who will schedule the eviction.
   - The eviction will be cancelled if you pay all money due, including filing fees, before the eviction occurs, unless the judgment issued by the court is without right of redemption. See next paragraph.
   - If there have been three (3) prior judgments (four (4) in Baltimore City) against you in rent court for this property in the past twelve (12) months, the judgment of possession will be without right of redemption. This means that even if you pay all money due before the date of eviction, the landlord can still evict you.
   - You have the right to appeal to the Circuit Court. File a Notice of Appeal with the clerk of the District Court no later than four (4) business days from the date of judgment. The court may require you to post a bond to keep the eviction from happening until after the Circuit Court decides your appeal. You must continue to pay rent during the appeal period.
7. **Shielding**:
   - <u>If you won your case</u>: The court will shield all court records in the case if the court does not enter a judgment against you.
   - <u>If you lost your case</u>: If the court enters a judgment for possession against you, you may petition the court to shield the case records if at least twelve (12) months have passed since the final resolution of the case AND you exercised the right of redemption by paying all past due amounts before eviction. You may also petition to shield if you can show other good cause to shield.
8. **Baltimore City only:**

   (a) The landlord must give you notice of the first scheduled eviction date by (1) mailing the notice to you by first-class mail at least fourteen (14) days in advance of the scheduled date, AND (2) posting the notice on the property at least seven (7) days before the scheduled date. You may challenge whether the notices were properly sent and posted. Any challenge will be referred to a judge for decision. If the judge decides the challenge in your favor, the eviction will be cancelled. The landlord may apply for a new Warrant of Restitution.

   (b) Abandoned property: when the eviction is completed, any property you leave behind is considered abandoned. The landlord may dispose of the property by transporting it to a licensed landfill, donating it to charity, or any other lawful means.

AVISO A LAS PERSONAS QUE HABLAN ESPAÑOL

Esta es una denuncia por incumplimiento de pago de la renta. La traducción al español de este formulario se encuentra en el Internet en: mdcourts.gov/sites/default/files/court-forms/district/forms/civil/dccv082bls.pdf/dccv082bls.pdf
El folleto informativo en español también se encuentra en el Internet en:
mdcourts.gov/sites/default/files/court-forms/district/forms/civil/dccv082tbrs.pdf/dccv082tbrs.pdf
Usted también podrá llevar este formulario a la Oficina del Secretario del Tribunal de Distrito, a la dirección que aparece en la parte del reverso de este formulario, y el secretario le entregará una traducción impresa, el folleto en español y proporcionará la asistencia de un intérprete si es necesario. Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de ayuda del tribunal. Por teléfono: 410-260-1392 En línea: <u>mdcourts.gov/helpcenter</u>